

7/05/18

United States Of America

vs.

Larry Derrance Randle

Docket No.: 6:17CR00056-001 RP

The Honorable Robert Pitman
United States District Judge

FILED

JUL 10 2018

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY *[Signature]* DEPUTY

Topic: SENTENCING ERROR

Judge Pitman,

I was in court on the 15th of June where as you completed my sentencing. I also attempted to write you a letter last week regarding a few issues that was bothering me that we spoke on during sentencing. The first issue was regarding my back time on my case that was originally filed on the state level in which you asked for proof of that time. I sent in several documents to you where my family went to the Ellis County Courthouse and received the info showing that in 2013 when my case originated that I sat in jail 1yr and 1 month before the dismissal of the related charges that were brought up again 4yrs later on the Federal level. I actually have a copy of that letter that I will add explaining again the nature of its content. I'm unsure if I had the accurate address in which to send you this information. The address it was sent to was the Federal Courthouse hear in Waco. Other inmates have told me that your mail should be sent to Austin instead. So in this moment I'm trying to get that address to mail off the information again. Unfortunately, I wasn't able to get copies of the court records I previously sent you because the Library was closed for reasons unknown to me with the last letter. However, it's my hope that you received them

I also contacted my attorney (Johnathan Sibley) because as I was preparing to send you the requested documents I realized a error was made that truly reflects on my time away and I am trying everything in my power to have it fixed. The District Attorney recommended that I be sentenced within my guidelines and you granted me the recommendation. I received 46 months in the courtroom at the time. My issue involves an objection that my attorney filed in which the DA office as well as yourself granted. It was Objection #2 which increased my guidline level by two additional points. Well we kinda spoke a lot where I talked to you about the changes in my life and the new direction that I have promised myself to take on. Prison isn't for me and I realize that this is probably my very last opportunity at getting it right and living out a prosperous law abiding life with my family. I believe I was a little winded and kinda caused you to overlook reducing the level once imposing your sentence. Even for myself, it wasn't till a week later that I realized this error. I haven't heard back from my attorney yet regarding the issue so I am writing you as well.

I am sure the court can easily look into my concern and fix the error within itself. I'm not certain if I need to be present. Another concern I have is fear of catching the prison chain away from here before I am able to see you again to fix the error regarding the time or sentencing. I'm not at all sure how it works. If it is easier on the court I do not mind if this error is fixed without my presence. So basically I give my authorization for the court to look up this matter and make any adjustments necessary regarding the claims that I am making. I will also sign the bottom as proof as well as send

this letter to your office as well as my attorneys office.

I do apologize for not realizing in the moments that the guidline issue was in fact an error, but nerves fear and a bundle of other emotions was in my mind in those moments. I pray that the court will look into this matter and offer some correspondence with myself and my attorney when time permits.

Thank You In Advance,

A handwritten signature in black ink, appearing to read "Larry Derrance Randle". The signature is fluid and cursive, with "Larry" on the first line and "Derrance Randle" on the second line.

Larry Derrance Randle

6-28-2018

United States Of America vs. Larry Derrance Randle
Docket No.: 6:17CR00056-001 RP

Judge Pitman,

I would like to thank you for the mercy you granted me during sentencing. I have made a vow to myself and my family to not find myself in this situation again. Although I did receive a 46 month sentence I am grateful because I know that it could have been much worse given my criminal history being so disastrous.

Judge you stated that you would add my back time I served on this case if I provided the proof because at the time when we requested it (Mr. Johnathan Sibley Attorney) you had no proof of the time in front of you. My family have done a lot of research seeking the documents you requested that will clearly state my claim. I will add them as well.

Upon doing some research myself I found that in my Presentence Report the evidence of the time spent incarcerated on this case is in my report. Your Honor I am adding a copy of page 15, 18, 21 from the report.. On **January 4, 2013** which is the arrest date of my now Federal offense page **18** show that I was arrested in Ellis County on **January 4, 2013** on two misdemeanor cases in which I pleaded out to. If you turn to page **21** paragraph **78** on the same date I was also charged with Forgery which was later dismissed **January 7, 2014** a year later. Because of the dismissal of the case on the state level it was later brought up again on a Federal level.

Your honor when I was charged with these cases back then I was on probation out of Van Zandt County. Because I caught the charges in Ellis County that probation was revoked. Page **15** show that I remained incarcerated and eventually discharging the revocation on **December 4, 2013** due to being incarcerated from **January 4, 2013**, approximately 1 year from my original arrest date. After another month Ellis County decided it wasn't enough evidence to continue to keep me and dismissed the Forgery cases that resulted in my now Federal case. On **January 21, 2014** I was finally released from Custody which was **1 year and 16 days** from the original arresting date.

Your honor I hope that the information provided is the proof that you requested. Again, I do know that I am wrong and I have vowed to change my life. I do believe that it is a very lawful act to give me my time that I already served fighting this case. A year is a very long time just as 46 months is a very long time Your Honor, but granting me my time would allow me to get back home to my family and to get my life together sooner.

Sincerely,

Larry Randle

P.S. Dave Matthews from the Ellis County Department of Transportation Office was the investigating officer. Your Honor he was also present in the sentencing hearing and would have testified to my incarceration that entire time. I am not sure of his contact information but it should be in the reports that you have access to.

Thank You In Advance

LARRY RANDOL JACK HARWELL & KENNY
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INMATE MAIL

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